

106973890

JAP20 Rec'd PCT/PCTO 29 MAR 2006
Docket No.: 3939-0118PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kazutaka Nakamoto et al.

Application No.: NEW

Confirmation No.: N/A

Filed: March 29, 2006

Art Unit: N/A

For: NOVEL ANTIFUNGAL AGENT CONTAINING
HETEROCYCLIC COMPOUND

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

Copies of the references on the PTO/SB/08 are not provided.

US Patent No. 6,313,127 corresponds to JP Patent No. 2000-504336. US Publication No. 2004/044040 corresponds to WO Patent No. 02/022583. US Patent No. 6,630,495 corresponds to JP Patent No. 2003-506466. US Patent No. 4,720,493 corresponds to JP Patent No. 61-148178. US Publication No. 2004/152730 corresponds to WO Patent No. 02/083645. US Patent No. 6,596,718 corresponds to WO Patent No. 03/045385. US Patent No. 5,296,484 corresponds to JP Patent No. 1-246264. US Patent Nos. 5,034,393 and US 5,350,749 corresponds to JP Patent No. 3-66689.

10/573890

Application No.: NEW

Docket No.: 3939-0118PUS1

IAP20 Rec'd PCT TO 29 MAR 2006

Those documents which are marked with a double asterisk (**) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number PCT/JP2004/014063, filed September 27, 2004.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

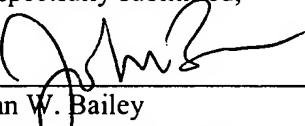
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: March 29, 2006

Respectfully submitted,

By 

John W. Bailey

Registration No.: 32,881

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

IAP20 Rec'd 07/07/2010 20 MAR 2006
PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	NEW 11373826
				Filing Date	March 29, 2006
				First Named Inventor	Kazutaka Nakamoto
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	
3939-0118PUS1					

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)	MM-DD-YYYY		
AA*	US-6,630,495-B1	10-07-2003	Cooke et al.		
AB*	US-4,720,493-A	01-19-1988	Kawakita et al.		
AC*	US-20040152730-A1	08-05-2004	Farina et al.		
AD*	US-6,596,718-B1	07-22-2003	Flöhr et al.		
AE*	US-5,296,484-A	03-22-1994	Coghlan et al.		
AF*	US-5,034,393-A	07-23-1991	Hackler et al.		
AG*	US-5,350,749	09-27-1994	Hackler et al.		
AH*	US-6,313,127	11-06-2001	Waterson et al.		
AI*	US-2004044040	03-04-2004	Neubert, et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)	MM-DD-YYYY		
BA**	JP-2000-504336-A	04-11-2000			ISR
BB**	WO-02/022583-A2	03-21-2002			ISR
BC**	JP-2003-506466-A	02-18-2003			ISR
BD**	JP-7-25853-A	01-27-1995			ISR
BE**	JP-61-148178-A	07-05-1986			ISR
BF**	JP-3-161470-A	07-11-1991			ISR
BG**	WO-02/083645-A1	10-24-2002			ISR
BH**	WO-03/045385-A1	06-05-2003			ISR
BI**	JP-59-206353-A	11-22-1984			ISR
BJ**	JP-1-246264-A	10-02-1989			ISR
BK**	JP-54-2325-A	01-09-1979			ISR
BL**	JP-10-505600-A	06-02-1998			ISR
BM**	JP-3-66689-A	03-22-1991			ISR

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ** CITE NO.: Those document(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
CA		OKAWA, Tomohiro et al., Synthesis, 1998, no. 10, pages 1467 to 1475			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered
--------------------	--	-----------------